

PLAINTIFF

UNITED STATES OF AMERICA

COURT CASE NUMBER

CA 03-221-*the* MISE.

DEFENDANT

CAROL S MCGARREY

TYPE OF PROCESS

HANDBILL NOTICE OF SALE

SERVE

AT

NAME OF INDIVIDUAL, COMPANY, CORPORATION, ETC. TO SERVE OR DESCRIPTION OF PROPERTY TO SEIZE OR CONDEMN

ADDRESS (Street or RFD, Apartment No., City, State and ZIP Code)

10265 ROSE STREET LAKE CITY, PA 16423

SEND NOTICE OF SERVICE COPY TO REQUESTER AT NAME AND ADDRESS BELOW

BERNSTEIN LAW FIRM, P.C.
LORI A GIBSON, ESQUIRE
SUITE 2200 GULF TOWER
PITTSBURGH, PA 15219

FILED

FEB 13 2006

CLERK, U.S. DISTRICT COURT

SPECIAL INSTRUCTIONS OR OTHER INFORMATION THAT WILL ASSIST IN PROVIDING SERVICE (*Include Business and Alternate Addresses, All Telephone Numbers, and Estimated Times Available for Service*):

PLEASE POST HANDBILL NOTICE OF SALE ON PREMISES BEFORE 2-11-06,
WHICH IS 30 DAYS BEFORE DATE OF SALE. WHEN FILING YOUR RETURN ON
THIS FORM 285, PLEASE ATTACH COPY OF HANDBILL NOTICE OF SALE.

Fwd

Signature of Attorney other Originator requesting service on behalf of:	<input type="checkbox"/> PLAINTIFF	TELEPHONE NUMBER	DATE
<i>[Signature]</i>	<input type="checkbox"/> DEFENDANT	412-456-8100	1-30-05

SPACE BELOW FOR USE OF U.S. MARSHAL ONLY-- DO NOT WRITE BELOW THIS LINE

I acknowledge receipt for the total number of process indicated. <i>(Sign only for USM 285 if more than one USM 285 is submitted)</i>	Total Process	District of Origin No. _____	District to Serve No. _____	Signature of Authorized USMS Deputy or Clerk	Date
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I hereby certify and return that I have personally served, have legal evidence of service, have executed as shown in "Remarks", the process described on the individual, company, corporation, etc., at the address shown above on the individual, company, corporation, etc. shown at the address inserted below.

I hereby certify and return that I am unable to locate the individual, company, corporation, etc. named above (See remarks below)

Name and title of individual served (if not shown above)	<input type="checkbox"/> A person of suitable age and discretion then residing in defendant's usual place of abode
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Address (complete only different than shown above)	Date	Time
	<i>1/31/06</i>	<i>4:00X</i>

Service Fee	Total Mileage Charges including <i>endeavors</i>)	Forwarding Fee <i>8.00</i>	Total Charges	Advance Deposits	Amount owed to U.S. Marshal* or (Amount of Refund*)
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REMARKS:

*10/16/05 * Per Instructions of Cheryl Bauer from Bernstein Law Firm. This Civil Process was to be returned UNEXECUTED due to "Short Sale".*

PRIOR EDITIONS
MAY BE USED

PRINT 5 COPIES: 1. CLERK OF THE COURT

2. USMS RECORD

3. NOTICE OF SERVICE

4. BILLING STATEMENT*: To be returned to the U.S. Marshal with payment, if any amount is owed. Please remit promptly payable to U.S. Marshal.

5. ACKNOWLEDGMENT OF RECEIPT

FORM USM-285

Rev. 12/15/80

Automated 01/00

MARSHAL'S SALE: By virtue of a Writ of Execution issued out of the United States Court for the Western District of Pennsylvania and to me directed, I shall expose the following real property to public sale at the Erie County Courthouse, Erie, PA hereinafter described property 10265 Rose Street, Lake City, PA 16423 being more fully described as follows:

All that certain piece or parcel of land situate in the Borough of Lake City, County of Erie and Commonwealth of Pennsylvania, Being Lot No. 35 of the PLAN OF LOTS FOR RESUBDIVISION OF PARK SHORES SUBDIVISION as recorded October 22, 1992 at Erie County Map 1992-252.

This parcel is commonly known as 10265 Rose Street, Lake City, Pennsylvania and bears Erie County Tax Index No. (28) 5-6.8-8.

Being the same premises conveyed to Carol S. McGarrey by deed dated July 24, 2000 and Recorded in the Erie County Recorder of Deeds Office Erie, Pennsylvania in Deed Book Volume 716 Page 1093.

SAID SALE to be held at the **ERIE COUNTY COURTHOUSE 2ND FLOOR, ERIE, PA** at **9:30 a.m.** prevailing. standard time, on **MARCH 15, 2006**.

All those certain tracts of land, together with the buildings, and improvements erected thereon described as Tax Parcel (28) 5-6.8-8 in Erie County, Assessment Office Erie, Pennsylvania. Seized and taken in execution as the property of Carol S. McGarrey, at the suit of the United States of America, acting through the Under Secretary of Rural Development, on behalf of Rural Housing Service, United States Department of Agriculture, to be sold on Writ of Execution as Civil Action Number 03-221-Erie. TERMS OF SALE: Successful bidder will pay ten percent (10%) by certified check or money order and the remainder of the bid within thirty (30) days from the date of the sale and in the event bidder cannot pay the remainder, the property will be resold and all monies paid in at the original sale will be applied to any deficiency in the price at which the property is resold. On behalf of the U. S. Marshals Service, we are allowing the highest bidder to secure by official bank check or money order the 10% of the highest bid amount within one hour of the conclusion of the sale. Notice is hereby given that a Schedule of Distribution will be filed by me on the thirtieth day after the date of sale, and that distribution will be made in accordance with the Schedule unless exemptions are filed thereto within ten (10) days thereafter. Purchaser must furnish State Realty Transfer Tax Stamps, and stamps required by the local taxing authority. Purchaser shall furnish Marshal with Grantee information at the sale. Marshal's costs, fees and commissions are to be borne by seller. Thomas M. Fitzgerald, United States Marshal. For additional information visit www.resales.usda.gov or contact Michelle Hartzell at 610-775-5474.